

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ALLINGTON PETER TITTLE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**CRIM. NO. 2:00-cr-171
CASE NO. 2:05-cv-491
JUDGE HOLSCHUH
MAGISTRATE JUDGE ABEL**

ORDER

On March 21, 2006, the Magistrate Judge issued a Report and Recommendation recommending that petitioner's May 15, 2005, motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. §2255 be transferred to the United States Court of Appeals for the Sixth Circuit pursuant to §2244(b)(3)(A) as a successive petition. Although the parties were specifically informed of their right to object to the *Report and Recommendation*, and of the consequences of their failure to do so, there has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. This case is **TRANSFERRED** to the United States Court of Appeals for the Sixth Circuit as a successive petition.

IT IS SO ORDERED.

Date: April 13, 2006

/s/ John D. Holschuh
JOHN D. HOLSCHUH, Judge
United States District Court